

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MAX WADMAN AND KELLY TOPPING,

No. C 14-05035 WHA

Plaintiffs,

v.

**ORDER FOLLOWING
DISCOVERY HEARING**

DISCOVERY BAY YACHT HARBOR, LLC
ET AL,

Defendants.

As stated at today's discovery hearing, plaintiff Max Wadman shall sit for an independent psychiatric evaluation, not to exceed five hours. The evaluation shall take place on either **DECEMBER 15 OR DECEMBER 17**, at plaintiff's choosing, and he must notify defendants on which date the exam will take place by **NOON ON DECEMBER 10**. If plaintiff does not sit for the psychiatric evaluation, then he will not be allowed to make any mention of post-traumatic stress disorder at trial. The disclosure of expert reports regarding the psychiatric evaluations of plaintiffs Wadman and Topping shall be due **TWENTY-EIGHT DAYS** after their respective examinations.


By **DECEMBER 11 AT NOON**, plaintiff's counsel shall file a five-page memorandum summarizing their best proof that plaintiff Wadman actually served in the military in Iraq, attaching the five documents which are most probative of that assertion. By **DECEMBER 15 AT NOON**, defense counsel may file a response, not to exceed five pages, in opposition to plaintiff's

1 memorandum. If defense counsel claim they were never served with the documents plaintiff
2 attaches, then plaintiff may respond by **DECEMBER 16 AT NOON**, laying out with specificity
3 how and when the documents were produced to the other side.

4 By **DECEMBER 9**, the parties shall submit a proposed joint request to the Department of
5 Defense for the Court to sign regarding production of outstanding document requests.

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7 **IT IS SO ORDERED.**

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9 Dated: December 8, 2015.

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11 WILLIAM ALSUP
12 UNITED STATES DISTRICT JUDGE
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